

Health Freedom Legislation Enacted In Other States:

BUDGET & LABOR
EXHIBIT NO. 4
DATE 2-10-09
BILL NO. SB 287

2001 California SB577 - California Complementary and Alternative Health Care Practitioners

Only exempts from practicing medicine, not other professions – does not create oversight organization, does create an exemption within existing law. It was carried by the President Pro Temp (a democrat) of the Senate. This model is used now by most health freedom groups and has been adapted for use as a template by the National Health Freedom Action. National groups have expanded it to include exemptions from other professions. This template was used to create Montana's bill.

1999 Minnesota Statute 146A - Minnesota Freedom of Access to Complementary and Alternative Health Care Practitioners

This is the other main model: creates an oversight organization and more bureaucracy. A few years ago, the governor tried to eliminate the oversight organization because there were too few complaints. The legislature refused to do so.

This prompted the advocates in CA to eliminate the need for an oversight organization when they introduced their bill.

2005 Louisiana Revised Statutes 20-37 VI-B – Revised again in 2008

Pertains only to herbs, food supplements and the like, not general

2003 Rhode Island Statute 23-75 - Unlicensed Health Care Practices

Follows Minnesota Statute Model and creates oversight organization.

1994 - Oklahoma Statute 59-480 (Oklahoma Parameters for Jurisdiction of Physician Licensing Act) - Oklahoma Allopathic and Surgical Licensure and Supervision Act.

1976 - Idaho 54-1804 (Idaho Exemptions to the Medical Practice Act) - Unlicensed Practice. Penalties and Remedies Relating to Unlicensed Practice

It does not follow any model I've seen, and statute is buried in the naturopath statute. I'm not sure how it protects health freedom

Bills Introduced:

Texas has introduced a bill for 2009 (HB 40) – again, following the national template

Bills were introduced in 2008 in

Colorado (HB1158) – modeled after national template

Louisiana (see above)

Maryland (SB 119) – Generally follows national template, with simpler wording.

North Carolina (HB 1358) – modeled after national template.

Washington (SB 6886) – generally follows national template with additional provisions
(good language regarding what is and isn't a diagnosis)

Other states have either introduced legislation in the past and/or are currently working on introducing legislation, but it hasn't happened yet.

Most seem to follow the national template.

Florida (2004) – Follows California model

Georgia (2005) – Follows California model

Hawaii (SB 739 -2007) – Follows California model

Illinois (HB3389 – 2007) – based on national template with more detailed disclosure

Iowa (SF 478 – 2007) – it was killed as legislators turned it into a licensure bill.

Massachusetts – working on the issue – not sure if any has been introduced.

Michigan (HB 5918 – 2006) – based on CA model.

New Mexico (SB 18 – 2007) – does not follow any template

New York (2007 bill followed Minnesota Template).

Ohio – (HB 148 – 2007-2008 session)

Utah (2006) – National Template

Virginia (SB 422 – 2006) – Doesn't seem to follow any template, but is simply written –
pertains to natural food and products only.

Wisconsin working on legislation – not sure if any has been introduced